

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PARAGON PET PRODUCTS EUROPE B.V.,

Plaintiff,

v.

MARS, INCORPORATED,

Defendant.

15 Civ. 5520 (PAE)

ECF Case

**DEFENDANT MARS,  
INCORPORATED'S  
NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE THAT**, upon the accompanying memorandum of law, and the declaration and exhibits annexed thereto, all submitted herewith, and upon all prior papers and proceedings in this matter, Defendant Mars, Incorporated (“Mars”), by and through its undersigned counsel, will move this Court, before the Honorable Paul A. Engelmayer, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, Courtroom 1305, at such date and time as shall be set by the Court, to dismiss Plaintiff Paragon Pet Products Europe B.V.’s Complaint under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted.

Dated: August 12, 2015

Respectfully submitted,

/s/ Katherine M. Turner  
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